

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:

|                           |            |
|---------------------------|------------|
| Hak, LLC                  |            |
| t/a Midtown               | Show Cause |
| 1219 Connecticut Ave., NW | Hearing    |
| Retailer CN - ANC-2B      | (Status)   |
| License No. 72087         |            |
| Case #12-CMP-00688        |            |

(Sale to Minor, Failed to  
Take Steps Necessary to  
Ascertain Legal Drinking Age)

February 12, 2014

The Alcoholic Beverage Control  
Board met in the Alcoholic Beverage Control  
Hearing Room, Reeves Building, 2000 14th  
Street, N.W., Suite 400S, Washington, D.C.  
20009, Chairperson Ruthanne Miller,  
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

ALSO PRESENT:

MICHAEL STERN, OAG

P-R-O-C-E-E-D-I-N-G-S

(9:36 a.m.)

CHAIRPERSON MILLER: Okay. Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia's Alcoholic Beverage Control Board. Today is February 12, 2014.

My name is Ruthanne Miller. I'm the Chairperson. Joining me to my far right is Mr. Donald Brooks and next to Mr. Brooks is Mr. Nick Alberti and next to Mr. Alberti is Mr. Rodriguez. And to my left is Mr. Mike Silverstein and to Mr. Silverstein's left is Mr. James Short. We have six Members in attendance this morning, with three constituting a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the

1 hearing room.

2 If you have any electronic  
3 devices, pagers, cell phones or such, please,  
4 make certain they are turned off to avoid any  
5 interruption of the proceedings.

6 When I call your case, please,  
7 come forward and take a seat at the table.  
8 You will notice that there is a piece of paper  
9 on each table for you to sign-in. This is to  
10 ensure the correct spelling of your name for  
11 the record.

12 The Open Meetings Act requires  
13 that the public hearing on each case be open  
14 to the public. The Board may, consistent with  
15 Section 405(b) of the Open Meetings Act, enter  
16 a closed meeting during or after the public  
17 hearing on a case to consult with an attorney  
18 to obtain legal advice, discuss settlement  
19 agreements or deliberate upon a decision in an  
20 adjudication proceeding.

21 Okay. We will now turn to this  
22 morning's calendar. The first case on the

1 calendar is Case No. 12-CMP-00688, Midtown  
2 located at 1219 Connecticut Avenue, N.W.,  
3 License No. 72087, in ANC-2B.

4 MR. STERN: Good morning, Michael  
5 Stern representing the District of Columbia.

6 CHAIRPERSON MILLER: Good morning.

7 MR. RAMIREZ: Good morning. Ramon  
8 Ramirez, Midtown General Manager.

9 CHAIRPERSON MILLER: Okay. And  
10 what's your name?

11 MR. RAMIREZ: Ramon Ramirez.

12 CHAIRPERSON MILLER: Okay.

13 MR. RAMIREZ: Ramon Ramirez.

14 CHAIRPERSON MILLER: Yes. Do you  
15 have it? Is your microphone on? It has to  
16 have a green light.

17 MR. RAMIREZ: The green lights are  
18 on.

19 CHAIRPERSON MILLER: There you go.

20 MR. RAMIREZ: Ramon Ramirez.

21 CHAIRPERSON MILLER: Oh, and you  
22 should sit, because then you are closer to the

1     mike. Okay. And let me ask you, did you  
2     receive notice of this hearing?

3                 MR. RAMIREZ: Yes, ma'am. We have  
4     a problem because my attorney is out for a  
5     family emergency, so right now, I'm not  
6     represented by an attorney.

7                 CHAIRPERSON MILLER: Okay. Right.  
8     This is just a status.

9                 MR. RAMIREZ: Okay.

10                CHAIRPERSON MILLER: Are you  
11     authorized to represent the establishment?

12                MR. RAMIREZ: Yes, I am.

13                CHAIRPERSON MILLER: Okay.

14                MR. RAMIREZ: But due to the --  
15     our grievance, I wasn't still working at this  
16     time when this incident happened. It was  
17     another general manager, so --

18                CHAIRPERSON MILLER: Okay. So we  
19     are not getting into the merits of the case.

20                MR. RAMIREZ: Okay.

21                CHAIRPERSON MILLER: I just want  
22     to make sure that you all got notice and did

1       you read the notice and understand the notice?

2                   MR. RAMIREZ:   Yes, ma'am.

3                   CHAIRPERSON MILLER:   Of this  
4       hearing, at least?

5                   MR. RAMIREZ:   Yes.

6                   CHAIRPERSON MILLER:   Okay.   So all  
7       we are going to do today is set it for the  
8       Show Cause Hearing, which is the hearing on  
9       the merits.

10                  MR. RAMIREZ:   Okay.

11                  MEMBER ALBERTI:   Unless you have  
12       some other preliminary issue that you need to  
13       bring my attention to?

14                  MR. STERN:   There is nothing from  
15       the Government.

16                  CHAIRPERSON MILLER:   Right.   Okay.  
17       So then this is set for a Show Cause Hearing,  
18       May 7, 2014 at 1:30 p.m.

19                  MR. RAMIREZ:   Okay.

20                  CHAIRPERSON MILLER:   Okay.   Thank  
21       you.

22                  MR. RAMIREZ:   All right.

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CHAIRPERSON MILLER: That's all.

MR. RAMIREZ: Thank you.

(Whereupon, the Show Cause  
(Status) Hearing in the above-entitled matter  
was concluded at 9:39 a.m.)

|   |   |   |  |   |  |  |          |                                |  |  |  |          |   |   |   |  |  |  |   |   |  |  |          |  |  |          |          |
|---|---|---|--|---|--|--|----------|--------------------------------|--|--|--|----------|---|---|---|--|--|--|---|---|--|--|----------|--|--|----------|----------|
| <b>A</b><br><b>a.m</b> 2:2 7:5<br><b>above-entitled</b> 7:4<br><b>Act</b> 3:12,15<br><b>actions</b> 2:22<br><b>adjudication</b> 3:20<br><b>advice</b> 3:18<br><b>Age</b> 1:10<br><b>agenda</b> 2:18<br><b>agreements</b> 3:19<br><b>Alberti</b> 1:18 2:11<br>2:11 6:11<br><b>Alcoholic</b> 1:2,12,13<br>2:6<br><b>ANC-2B</b> 1:7 4:3<br><b>Ascertain</b> 1:10<br><b>attendance</b> 2:15<br><b>attention</b> 6:13<br><b>attorney</b> 3:17 5:4,6<br><b>authorized</b> 5:11<br><b>available</b> 2:18<br><b>Ave</b> 1:6<br><b>Avenue</b> 4:2<br><b>avoid</b> 3:4<br><b>aware</b> 2:19 | <b>Chairperson</b> 1:14<br>1:17 2:3,9 4:6,9<br>4:12,14,19,21 5:7<br>5:10,13,18,21 6:3<br>6:6,16,20 7:1<br><b>closed</b> 3:16<br><b>closer</b> 4:22<br><b>CN</b> 1:7<br><b>Columbia</b> 1:1 4:5<br><b>Columbia's</b> 2:6<br><b>come</b> 3:7<br><b>concluded</b> 7:5<br><b>Connecticut</b> 1:6<br>4:2<br><b>consistent</b> 3:14<br><b>constituting</b> 2:16<br><b>consult</b> 3:17<br><b>Control</b> 1:2,12,13<br>2:7<br><b>Copies</b> 2:17<br><b>correct</b> 3:10<br><b>court</b> 2:20 | <b>February</b> 1:11 2:7<br><b>first</b> 3:22<br><b>forward</b> 3:7 | <b>G</b><br><b>general</b> 4:8 5:17<br><b>getting</b> 5:19<br><b>go</b> 4:19<br><b>going</b> 6:7<br><b>Good</b> 2:3 4:4,6,7<br><b>Government</b> 6:15<br><b>green</b> 4:16,17<br><b>grievance</b> 5:15 | <b>H</b><br><b>Hak</b> 1:5<br><b>happened</b> 5:16<br><b>hearing</b> 1:6,13 2:17<br>3:1,13,17 5:2 6:4<br>6:8,8,17 7:4<br><b>HECTOR</b> 1:19 | <b>I</b><br><b>incident</b> 5:16<br><b>interruption</b> 3:5<br><b>issue</b> 6:12 | <b>J</b><br><b>James</b> 1:20 2:14<br><b>Joining</b> 2:9 | <b>K</b> | <b>Q</b><br><b>quorum</b> 2:16 | <b>L</b><br><b>left</b> 2:12,13<br><b>legal</b> 1:10 3:18<br><b>License</b> 1:7 4:3<br><b>light</b> 4:16<br><b>lights</b> 4:17<br><b>LLC</b> 1:5<br><b>located</b> 4:2 | <b>R</b><br><b>Ramirez</b> 4:7,8,11<br>4:11,13,13,17,20<br>4:20 5:3,9,12,14<br>5:20 6:2,5,10,19<br>6:22 7:2<br><b>Ramon</b> 4:7,11,13<br>4:20<br><b>read</b> 6:1<br><b>receive</b> 5:2<br><b>receptionist</b> 2:18<br><b>record</b> 3:11<br><b>recorded</b> 2:20<br><b>Reeves</b> 1:13<br><b>refrain</b> 2:21<br><b>regularly</b> 2:5<br><b>reporter</b> 2:20<br><b>represent</b> 5:11<br><b>represented</b> 5:6<br><b>representing</b> 4:5<br><b>requires</b> 3:12<br><b>Retailer</b> 1:7<br><b>right</b> 2:9 5:5,7 6:16<br>6:22<br><b>Rodriguez</b> 1:19<br>2:12<br><b>room</b> 1:13 3:1<br><b>Ruthanne</b> 1:14,17<br>2:8 | <b>M</b><br><b>ma'am</b> 5:3 6:2<br><b>manager</b> 4:8 5:17<br><b>matter</b> 1:4 7:4<br><b>meeting</b> 1:3 2:5 | <b>S</b> | <b>B</b><br><b>Beverage</b> 1:2,12,13<br>2:6<br><b>Board</b> 1:2,13 2:7<br>3:14<br><b>bring</b> 6:13<br><b>Brooks</b> 1:18 2:10<br>2:10<br><b>Building</b> 1:13 | <b>D</b><br><b>D.C</b> 1:14<br><b>decision</b> 3:19<br><b>deliberate</b> 3:19<br><b>desk</b> 2:19<br><b>devices</b> 3:3<br><b>discuss</b> 3:18<br><b>disruptive</b> 2:22<br><b>District</b> 1:1 2:6 4:5<br><b>Donald</b> 1:18 2:10<br><b>Drinking</b> 1:10<br><b>due</b> 5:14 | <b>N</b><br><b>N.W</b> 1:14 4:2<br><b>name</b> 2:8 3:10 4:10<br><b>Necessary</b> 1:9<br><b>need</b> 6:12<br><b>Nick</b> 1:18 2:11<br><b>noises</b> 2:22<br><b>notice</b> 3:8 5:2,22<br>6:1,1<br><b>NW</b> 1:6 | <b>O</b><br><b>OAG</b> 1:22<br><b>obtain</b> 3:18<br><b>Oh</b> 4:21<br><b>Okay</b> 2:3 3:21 4:9<br>4:12 5:1,7,9,13,18<br>5:20 6:6,10,16,19<br>6:20<br><b>open</b> 3:12,13,15 | <b>P</b><br><b>P-R-O-C-E-E-D-...</b><br>2:1<br><b>p.m</b> 6:18<br><b>paggers</b> 3:3 | <b>C</b><br><b>calendar</b> 2:17 3:22<br>4:1<br><b>call</b> 3:6<br><b>case</b> 1:8 3:6,13,17<br>3:22 4:1 5:19<br><b>Cause</b> 1:6 6:8,17<br>7:3<br><b>cell</b> 3:3<br><b>certain</b> 3:4 | <b>E</b><br><b>electronic</b> 3:2<br><b>emergency</b> 5:5<br><b>ensure</b> 3:10<br><b>enter</b> 3:15<br><b>establishment</b> 5:11 | <b>O</b><br><b>obtained</b> 4:2<br><b>open</b> 3:12,13,15 | <b>P</b><br><b>P-R-O-C-E-E-D-...</b><br>2:1<br><b>p.m</b> 6:18<br><b>paggers</b> 3:3 | <b>P</b><br><b>P-R-O-C-E-E-D-...</b><br>2:1<br><b>p.m</b> 6:18<br><b>paggers</b> 3:3 | <b>P</b> | <b>F</b><br><b>Failed</b> 1:9<br><b>family</b> 5:5<br><b>far</b> 2:9 | <b>P</b><br><b>P-R-O-C-E-E-D-...</b><br>2:1<br><b>p.m</b> 6:18<br><b>paggers</b> 3:3 | <b>P</b> | <b>S</b> |
|---|---|---|--|---|--|--|----------|--------------------------------|--|--|--|----------|---|---|---|--|--|--|---|---|--|--|----------|--|--|----------|----------|



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| <b>Suite</b> 1:14         |                           |  |  |  |
| <b>sure</b> 5:22          | <b>4</b>                  |  |  |  |
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